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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,151	11/17/2003	Richard J. Tracy	14019	4297

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EXAMINER

LAVINDER, JACK W

ART UNIT	PAPER NUMBER
3677	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/715,151	Applicant(s) TRACY, RICHARD J.	
	Examiner Jack W. Lavinder	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 7, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seron, 5669119 in view of Peterson, 967664, and Weiss, 4845585.

Regarding claims 1, 8, Seron discloses a lanyard having

- a lanyard cord (18) with a first and second end
- a web end (12) removably attached to the first and second ends of the lanyard cord (figure 1) having
 - first and second opposing ends (30, 32) joined together by a central portion and a hinge (34) having
 - an inner wall surface with a plurality of spaces inbetween the plurality of pins (20a, 20b) extending outwardly from the inner wall surface and into the plurality of spaces when the clip is engaged to and securing the lanyard cord
- an attachment loop-shaped member (22) removably mounted, i.e., the attachment member can be cut off of the clip

Seron fails to disclose a plurality of pin pockets extending inwardly into the inner wall surface.

Weiss discloses a plurality of pins (40) and a plurality of pin pockets (48) for receiving the pins to help prevent the pins (40) from bending and the subsequent release of the strip material from the connector (col. 5, lines 59-65).

Therefore, it would have been obvious to a person having ordinary skill in the art to modify Seron's pin attaching arrangement to include Weiss's pin pockets to increase the reliability and strength of the attachment between the straps and the clip.

Seron also fails to disclose an attachment member that can be conveniently connected and disconnected from a central portion of the web end.

Peterson discloses a snap hook having an attachment member (1, fig. 1) threadably/removably attached to the central portion (5), via a threaded hole, of a web end (7).

It would have been obvious to a person having ordinary skill in the art to make Seron's attachment member (22) removably attached and detached to the web end as taught by Peterson in order to provide a means to replace the attachment member when or if the member fails. This would save the user time and money from having to purchase an entirely new lanyard.

Regarding claim 7, Weiss discloses a plurality of pins (40) and a plurality of pin pockets (48) for receiving the pins to help prevent the pins (40) from bending and the subsequent release of the strip material from the connector (col. 5, lines 59-65).

3. Claims 2-6, 10-15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Seron in view of Peterson and Weiss, as applied above, and further in view of Pontaoe, 6618910.

Regarding claims 2, 10, Seron discloses a single locking tab (36) and recess (38) for connecting the ends of the web end (12), but fails to disclose a plurality of recesses and locking tabs as required by claim 2.

Pontaoe discloses a plurality of locking tabs (50) and recesses (52) for securing the ends of a web end together.

It would have been obvious to a person having ordinary skill in the art to give Seron's locking means additional locking tabs and recesses, as taught by Pontaoe, to increase the reliability and strength of the connection between the ends of the web end to prevent unwanted opening of the web end.

Regarding claims 3, 11, 15, Seron discloses a side hinge (34) central portion in relation to the attachment member and fails to disclose a hole in the central portion for receiving the attachment member.

Peterson discloses an alternative arrangement between the attachment member and the web end, wherein the looped attachment member is received in a threaded aperture in the central portion (5) of the web end.

In view of Peterson's teachings, it would have been an alternative design choice to a person having ordinary skill in the art to modify Seron's attachment member to be received in a central aperture in the central portion of the web end since both

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arrangements perform the same function, equally as well as the other, in attaching the attachment member to a strap.

Regarding claims 4, 12, Seron discloses places both ends of the lanyard cord (18) between the pins and pin spaces (figure 3).

Regarding claim 5, 13, Seron discloses a pair of hinges (outer edges of 34 where 34 attaches to opposed ends) on opposing sides of a central portion, i.e., the exact center of 34 is considered the central portions with hinges extending outwardly on both sides of the central portion.

Regarding claims 6, 14, Seron discloses stabilizing ribs (41, figure 4) and recesses (42).

4. Claims 16-18, 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Seron in view of Weiss and Pontaoe.

Regarding claim 16, Seron discloses a lanyard having

- a lanyard cord (18) with a first and second end
- a web end (12) removably attached to the first and second ends of the lanyard cord (figure 1) having
 - first and second opposing ends (30, 32) joined together by a central portion and a hinge (34) having
 - an inner wall surface with a plurality of spaces inbetween the plurality of pins (20a, 20b) extending outwardly from the inner wall surface and into the plurality of spaces

when the clip is engaged to and securing the lanyard
cord

- an attachment loop-shaped member (22) removably mounted, i.e., the attachment member can be cut off of the clip

Seron fails to disclose a plurality of pin pockets extending inwardly into the inner wall surface.

Weiss discloses a plurality of pins (40) and a plurality of pin pockets (48) for receiving the pins to help prevent the pins (40) from bending and the subsequent release of the strip material from the connector (col. 5, lines 59-65).

Therefore, it would have been obvious to a person having ordinary skill in the art to modify Seron's pin attaching arrangement to include Weiss's pin pockets to increase the reliability and strength of the attachment between the straps and the clip.

Seron discloses a single locking tab (36) and recess (38) for connecting the ends of the web end (12), but fails to disclose a plurality of recesses and locking tabs as required.

Pontaoe discloses a plurality of locking tabs (50) and recesses (52) for securing the ends of a web end together.

It would have been obvious to a person having ordinary skill in the art to give Seron's locking means additional locking tabs and recesses, as taught by Pontaoe, to increase the reliability and strength of the connection between the ends of the web end to prevent unwanted opening of the web end.

Regarding claim 17, Seron discloses a pair of hinges (outer edges of 34 where 34 attaches to opposed ends) on opposing sides of a central portion, i.e., the exact center of 34 is considered the central portions with hinges extending outwardly on both sides of the central portion.

Regarding claim 18, Seron discloses stabilizing ribs (41, figure 4) and recesses (42).

Regarding claim 20, Seron discloses conically shaped pins (20a, 20b) and Weiss also discloses conically shaped pins (40).

5. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seron in view of Weiss and Pontaoe, as applied above, and further in view of Peterson.

Regarding claims 19 and 20, Seron discloses a side hinge (34) central portion in relation to the attachment member and fails to disclose a hole in the central portion for receiving the attachment member.

Peterson discloses an alternative arrangement between the attachment member and the web end, wherein the looped attachment member is received in a threaded aperture in the central portion (5) of the web end.

In view of Peterson's teachings, it would have been an alternative design choice to a person having ordinary skill in the art to modify Seron's attachment member to be received in a central aperture in the central portion of the web end since both arrangements perform the same function, equally as well as the other, in attaching the attachment member to a strap.

Response to Arguments

6. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

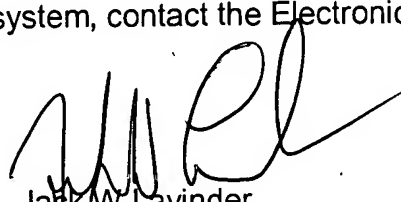
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack W. Lavinder whose telephone number is 703-308-3421. The examiner can normally be reached on Mon-Friday, 9-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jack W. Lavinder
Primary Examiner
Art Unit 3677

4/4/05